

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

COURTNEY W.,¹

Plaintiff,

v.

Civil No. 2:22cv431

KILOLO KIJAKAZI, Acting
Commissioner of Social Security,

Defendant.

FINAL ORDER

Courtney W. ("Plaintiff"), by counsel, brought this action seeking judicial review of the decision by the Commissioner of the Social Security Administration ("Commissioner") to deny her claim for disability benefits under the Social Security Act. ECF No. 10. Pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Rule 72(b) of the Federal Rules of Civil Procedure, the matter was referred to a United States Magistrate Judge for a Report and Recommendation.

On October 26, 2023, the Magistrate Judge filed his Report and Recommendation, recommending that the Commissioner's decision be **VACATED**, and that the case be **REMANDED** to the Commissioner for further proceedings. ECF No. 13, at 20. By copy of the Report and Recommendation, each party was advised of the right to file

¹ The Committee on Court Administration and Case Management of the Judicial Conference of the United States has recommended that federal courts use only the first name and last initial of any non-government parties in Social Security cases due to privacy concerns endemic to such cases.

written objections to the findings and recommendations made by the Magistrate Judge. ECF No. 13, at 21. No objections were filed by either party and the time for filing objections has expired.

Having reviewed the relevant portions of the record and finding no clear error in the Magistrate Judge's findings or reasoning,² the Court hereby **ADOPTS** in full the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed on October 26, 2023. ECF No. 13. Accordingly, the final decision of the Commissioner is **VACATED** and the case is **REMANDED** for further proceedings consistent with the Magistrate Judge's directives in the Report and Recommendation. ECF No. 13, at 20.

The Clerk is requested to forward a copy of this Final Order to all counsel of record.

IT IS SO ORDERED.

/s/ 

Mark S. Davis
Chief United States District Judge

Norfolk, Virginia
November 30, 2023

² As no objections to the Report and Recommendation were filed, this Court must "only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).